

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No.31316 of 2008
KALLU DAS Vrs. THE STATE OF BIHAR

/2/ **28.08.2008**

Heard the counsel for the petitioner and the State.

2. Petitioner, Kallu Das, is the public distribution system dealer. He is apprehending his arrest in connection with Atari P.S. Case No. 32 of 2008 registered for offence under sections 3 and 7 of the Essential Commodities Act and 414 of the Indian Penal Code. Counsel for the petitioner submits that petitioner's name has been implicated in this case on the basis of confessional statement of Pankaj Kumar Singh, who is khalasi of Bolero jeep over which alleged food grains were found to be loaded. So far the stock in the shop of the petitioner is concerned, it was found intact, when enquiry was conducted by the Block Supply Officer and the Block Development Officer. It has also been stated that the seized articles did not belong to the petitioner.

3. Considering the facts, the prayer for anticipatory bail on behalf of the petitioner is **allowed**. He is directed to be released on anticipatory bail, in case of his surrender before the Court concerned within four weeks from today, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with the aforementioned case to the satisfaction of the Chief Judicial Magistrate, Gaya, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(**Mridula Mishra, J.)**

S.A.